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7 **IN THE UNITED STATES DISTRICT COURT**
8 **FOR THE WESTERN DISTRICT OF WASHINGTON**
9 **TACOMA DIVISION**

10 **OBRIA GROUP, INC., and MY**
11 **CHOICES d/b/a OBRIA MEDICAL**
12 **CLINICS PNW,**

13 *Plaintiffs,*

14 v.

15 **ROBERT FERGUSON**, in his official
16 capacity as Attorney General for the
17 State of Washington,

18 *Defendant(s).*

No. 3:23-cv-06093-TMC

**STIPULATION AND [PROPOSED]
ORDER CONCERNING
PLAINTIFFS' MOTION FOR
LEAVE TO FILE SUPPLEMENTAL
COMPLAINT**

1 WHEREAS, on March 28, 2024, Plaintiffs filed a Motion for Leave to File a
2 First Supplemental Complaint to make allegations regarding intervening events
3 concerning loss of certain insurance coverage by Obria PNW;

4 WHEREAS, the Attorney General has opposed that motion, which is now fully
5 briefed;

6 WHEREAS, Plaintiffs wish to raise with the Court certain additional events
7 concerning Obria PNW's insurance coverage that have occurred since the time its
8 motion became fully briefed, as set forth in the attached proposed Second
9 Supplemental Complaint (Ex. A, clean, Ex. B, redline);

10 WHEREAS, the Attorney General continues to oppose the filing of a
11 supplemental complaint;

12 WHEREAS, the parties desire to avoid burdening the Court with another
13 motion for leave to supplement, and response in opposition, while the first motion
14 remains pending;

15 NOW THEREFORE, it is hereby STIPULATED AND AGREED by and
16 between the parties as follows, subject to the Court's approval and endorsement
17 below:

18 1. The proposed Second Supplemental Complaint attached hereto may be
19 substituted for the proposed First Supplemental Complaint currently subject to
20 Plaintiffs' motion for leave to file and Defendant's response in opposition thereto;

21 2. The Attorney General may file a brief of no more than 1,500 words by
22 May 28, 2024, limited to addressing the effect, if any, of the changes in the proposed
23 Second Supplemental Complaint on whether Plaintiffs' motion should be granted;

24 3. Plaintiffs may file a response brief of no more than 1,500 words by June
25 4, 2024, limited to addressing the effect, if any, of the changes in the proposed Second
26 Supplemental Complaint on whether Plaintiffs' motion should be granted.

27 Dated: May 13, 2024.

28 STIPULATION AND [PROPOSED] ORDER
CONCERNING PLAINTIFFS' MOTION FOR
LEAVE TO FILE SUPPLEMENTAL
COMPLAINT

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IT IS SO ORDERED.

HON. TIFFANY M. CARTWRIGHT